

# GDPR Privacy Statement

Test Valley Borough Council respects your privacy and is committed to protecting your personal data. This privacy notice will inform you as to how we look after your personal data when you visit our website (regardless of where you visit it from) and tell you about your privacy rights and how the law protects you.

You can download a pdf version of the policy here:

## **1. IMPORTANT INFORMATION AND WHO WE ARE**

### **PURPOSE OF THIS PRIVACY NOTICE**

Test Valley Borough Council ('the Council') is a Public Authority. The Council is responsible for many functions of a public nature and as such, it is necessary for the Council to collect and process personal data about a large number of individuals. Some information may be provided directly by you, some information may be provided by third parties about you. Some information we process may be shared with third parties. The Council is committed to complying with the requirements of the General Data Protection Regulation (GDPR). Below the Council has set out information the GDPR requires the Council to comply with and make available to you.

This privacy notice aims to give you information on how the Council collects and processes your personal data through your contact with the Council in person, over the phone, in writing (including email) and via the use of our website(s), including any data you may provide through the website(s) when you contact us.

In relation to our websites, they are not intended for children and we do not knowingly collect data relating to children directly from children.

It is important that you read this privacy notice together with any other privacy notice or fair processing notice we may provide on specific occasions when we are collecting or processing personal data about you so that you are fully aware of how and why we are using your data. This privacy notice supplements the other notices and is not intended to override them.

### **CONTROLLER**

TEST VALLEY BOROUGH COUNCIL is the controller and responsible for your personal data (collectively referred to as 'the Council', 'we', 'us' or 'our' in this privacy notice).

We have appointed a data protection officer (DPO) who is responsible for overseeing questions in relation to this privacy notice. If you have any questions about this privacy notice, including any requests to exercise your legal rights, please contact the DPO using the details set out below.

## **CONTACT DETAILS**

Our full details are:

Full name of legal entity:	TEST VALLEY BOROUGH COUNCIL
Name or title of DPO:	Head of Legal Services
Email address:	<a href="mailto:Legal@testvalley.gov.uk">Legal@testvalley.gov.uk</a>
Postal address:	BEECH HURST, WEYHILL ROAD, ANDOVER, SP10 3AJ
Telephone number:	01264 368000

You have the right to make a complaint at any time to the Information Commissioner's Office (ICO), the UK supervisory authority for data protection issues ([www.ico.org.uk](http://www.ico.org.uk)). We would, however, appreciate the chance to deal with your concerns before you approach the ICO so please contact us in the first instance.

## **CHANGES TO THE PRIVACY NOTICE AND YOUR DUTY TO INFORM US OF CHANGES**

It is important that the personal data we hold about you is accurate and current. Please keep us informed if your personal data changes during your relationship with us.

## **THIRD-PARTY LINKS**

If viewing this notice on-line, this website may include links to third-party websites, plug-ins and applications. Clicking on those links or enabling those connections may allow third parties to collect or share data about you. We do not control these third-party websites and are not responsible for their privacy statements. When you leave our website, we encourage you to read the privacy notice of every website you visit.

## **2. THE DATA WE COLLECT ABOUT YOU**

Personal data, or personal information, means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data).

We may collect, use, store and transfer different kinds of personal data about you which we have grouped together follows:

- **Identity Data** includes first name, maiden name, last name, username or similar identifier, marital status, title, date of birth and gender.
- **Contact Data** includes billing address, delivery address, email address and telephone numbers.
- **Financial Data** includes bank account and payment card details.
- **Transaction Data** includes details about payments to and from you and other details of services you have purchased or accessed from us.
- **Technical Data** includes internet protocol (IP) address, your login data, browser type and version, time zone setting and location, browser plug-in types and versions, operating system and platform and other technology on the devices you use to access this website.
- **Profile Data** includes your username and password, purchases or orders made by you, your interests, preferences, feedback and survey responses.
- **Usage Data** includes information about how you use our website, products and services.
- **Marketing and Communications Data** includes your preferences in receiving marketing from us and your communication preferences.

We also collect, use and share **Aggregated Data** such as statistical or demographic data for any purpose. Aggregated Data may be derived from your personal data but is not considered personal data in law as this data does **not** directly or indirectly reveal your identity. For example, we may aggregate your Usage Data to calculate the percentage of users accessing a specific website feature. However, if we combine or connect Aggregated Data with your personal data so that it can directly or indirectly identify you, we treat the combined data as personal data which will be used in accordance with this privacy notice.

We may collect Special Categories of Personal Data about you. This includes details about your race or ethnicity, religious or philosophical beliefs, sex life, sexual orientation, political opinions, trade union membership, information about your health and genetic and biometric data. We may also collect information about criminal convictions and offences. In the event that this information is collected and processed, we shall only do so in accordance with the law and where appropriate, a separate data processing privacy notice shall be issued regarding this.

Please note that as a local authority, we are legally obliged to carry out certain functions or deliver services that require us to process information regarding individuals. This also includes information that has been provided to us from other sources including other local authorities, law enforcement agencies, other government departments or other third parties. Where this is the case, the rights you have may be affected regarding the information we are holding.

## **IF YOU FAIL TO PROVIDE PERSONAL DATA**

Where we need to collect personal data from you and you fail to provide the data when requested, we may not be able to assist you with the services you require or process your application(s) as quickly. We will endeavour to explain this to you at the time where possible.

### **3. HOW IS YOUR PERSONAL DATA COLLECTED?**

We use different methods to collect data from and about you including through:

- **Direct interactions.** You may give us your Identity, Contact and Financial Data by filling in forms or by corresponding with us by post, phone, email or otherwise. This includes personal data you provide when you:
  - apply for benefits or other services provided by the Council or on behalf of the Council;
  - create an account on our website;
  - make a payment;
  - report a concern;
  - make a complaint;
  - request information to be sent to you;
  - subscribe to our service notifications or publications;
  - enter a survey or take part in a consultation;
  - give us some feedback;
  - any other communication initiated by you.
- **Automated technologies or interactions.** As you interact with our website, we may automatically collect Technical Data about your equipment, browsing actions and patterns. We collect this personal data by using cookies, server logs and other similar technologies. We may also receive Technical Data about you if you visit other websites employing our cookies. Please see our cookie policy for further details

**Third parties or publicly available sources.** We may receive personal data about you from various third parties and public sources as set out below:

- Technical Data from the following parties:
  - (a) government departments, other public sector organisations
  - (b) analytics providers;
  - (c) advertising networks ; and
  - (d) search information providers.
- Contact, Financial and Transaction Data from providers of technical, payment and delivery service
- Identity and Contact Data from data brokers or aggregators
- Identity and Contact Data from publicly available sources

### **4. HOW WE USE YOUR PERSONAL DATA**

We will only use your personal data when the law allows us to. Most commonly, we will use your personal data in the following circumstances:

- With your express consent.

- Where we need to perform a contract we are about to enter into or have entered into with you or in order to take steps at your request prior to entering into a contract.
- Where processing is necessary for compliance with a legal obligation which we are subject to
- Where processing is necessary in order to protect the vital interests of you or another person.
- Where it is necessary to perform a task carried out in the public interest or in the exercise of official authority vested in the controller.
- Where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests.

The main reasons for the Council collecting personal information about you or your family will be for the purposes that processing is necessary for the compliance with a legal obligation which we are subject to or because it is necessary to perform a task carried out in the public interest or in the exercise of official authority vested in us as the controller. Other reasons may apply from time to time, indeed, it is possible that one or more reasons may apply when we are processing your information.

Generally we do not rely on consent as a legal basis for processing your personal data other than in relation to sending third party direct marketing communications to you via email or text message. You have the right to withdraw consent to marketing at any time by [Contacting us](#).

## **PURPOSES FOR WHICH WE WILL USE YOUR PERSONAL DATA**

The Council provides a number of services to the community we serve. For example, the Council has functions in relation to planning and building, licensing, council tax and benefits, housing, waste collection and recycling, transport, parking, streets, environment, elections, community and leisure to name a few. In light of this, when it is necessary to contact the council for specific services or functions, the purposes will vary and the Council will set out in a separate notice available from our website to help explain the reasons why your personal information is being collected and your rights in relation to it to supplement the general information in this notice.

## **MARKETING AND FUTURE CONTACT**

We strive to provide you with improved services and we may use your Identity, Contact, Technical, Usage and Profile Data to form a view on what we think you may want or need, or what may be of interest to you. This helps us how we decide which services may be relevant for you or assist you in the future.

You may receive communications from us if you have requested information from us or contacted us for services. Where we have collected information from you entirely on the basis of your explicit consent, we will ensure that you have the option to withdraw your consent at any time and notify you of this right each time we make communication with you.

## **THIRD-PARTY MARKETING**

We will get your express opt-in consent before we share your personal data with any third parties.

## **OPTING OUT**

You can ask us or third parties to stop sending you marketing messages at any time by [Contacting us](#) at any time.

## **COOKIES**

You can set your browser to refuse all or some browser cookies, or to alert you when websites set or access cookies. If you disable or refuse cookies, please note that some parts of this website may become inaccessible or not function properly. For more information about the cookies we use, please see [www.testvalley.gov.uk/cookies](http://www.testvalley.gov.uk/cookies)

## **CHANGE OF PURPOSE**

We will only use your personal data for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason by law.

Please note that we may process your personal data without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

# **5. DISCLOSURES OF YOUR PERSONAL DATA**

We may have to share your personal data with the parties set out below for the purposes set out above.

## **EXTERNAL THIRD PARTIES**

- Service providers acting as processors who provide IT and system administration services.
- Professional advisers acting as processors or joint controllers including lawyers, bankers, auditors and insurers who provide consultancy, banking, legal, insurance and accounting services.
- HM Revenue & Customs, regulators and other authorities acting as processors or joint controllers who require reporting of processing activities in certain circumstances.
- Law enforcement agencies, National Fraud Initiative, other public authorities, third parties specific to service provision or function to be notified on a case by case basis.

We require all third parties to respect the security of your personal data and to treat it in accordance with the law. We do not allow our third-party service providers to use your personal data for their own purposes and only permit them to process your personal data for specified purposes and in accordance with our instructions.

## **6. INTERNATIONAL TRANSFERS**

We do not transfer your personal data outside the European Economic Area (EEA).

## **7. DATA SECURITY**

We have put in place appropriate security measures to prevent your personal data from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal data to those employees, agents, contractors and other third parties who have a business need to know. They will only process your personal data on our instructions and they are subject to a duty of confidentiality.

We have put in place procedures to deal with any suspected personal data breach and will notify you and any applicable regulator of a breach where we are legally required to do so.

## **8. DATA RETENTION**

### **HOW LONG WILL YOU USE MY PERSONAL DATA FOR?**

We will only retain your personal data for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements.

To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements or guidance available.

Personal data shall be kept in a form which permits identification of individuals for no longer than is necessary for the purposes for which it is processed and may be stored for longer periods insofar as the personal information will be processed for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes.

In some circumstances we may anonymise your personal data (so that it can no longer be associated with you) for research or statistical purposes in which case we may use this information indefinitely without further notice to you.

## **9. YOUR LEGAL RIGHTS**

Under certain circumstances, you have rights under data protection laws in relation to your personal data including:

- *Request access to your personal data.*
- *Request correction of your personal data.*
- *Request erasure of your personal data.*
- *Object to processing of your personal data.*
- *Request restriction of processing your personal data.*
- *Request transfer of your personal data.*
- *Right to withdraw consent.*

If you wish to exercise any of the rights set out above, please [Contact us](#)

### **NO FEE USUALLY REQUIRED**

You will not have to pay a fee to access your personal data (or to exercise any of the other rights). However, we may charge a reasonable fee if your request is manifestly unfounded or excessive or repetitive in nature. In which case, we may charge a reasonable fee taking into account the administrative costs of providing the information or communication or taking the action requested. We may, where appropriate, refuse to act on the request for access and will notify you of this decision together with further information regarding your rights to complain.

### **WHAT WE MAY NEED FROM YOU**

We may need to request specific information from you to help us confirm your identity and ensure your right to access your personal data (or to exercise any of your other rights). This is a security measure to ensure that personal data is not disclosed to any person who has no right to receive it. We may also contact you to ask you for further information in relation to your request to speed up our response.

### **TIME LIMIT TO RESPOND**

We try to respond to all legitimate requests within one month. Occasionally it may take us longer than a month if your request is particularly complex or you have made a number of requests. In this case, we will notify you and keep you updated. We may need to extend by a further two months where necessary taking into account the complexity of the request or the number of requests